

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0157-01  
Bill No.: HB 27  
Subject: Motor Vehicles; Telecommunications; Crimes and Punishment  
Type: Original  
Date: February 20, 2015

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Bill Summary: This proposal prohibits drivers of non-commercial vehicles from text messaging while operating a moving vehicle unless the device is being used is equipped with technology allowing for voice-recognition hands-free text.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Highway Fund	Less than \$100,000	Less than \$100,000	Less than \$100,000
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>Less than \$100,000</b>	<b>Less than \$100,000</b>	<b>Less than \$100,000</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Local Government</b>	<b>Less than \$100,000</b>	<b>Less than \$100,000</b>	<b>Less than \$100,000</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Office of Prosecution Services** and the **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Department of Revenue (DOR)** assume this legislation removes the current texting while driving offense for drivers 21 years of age and under and adds language to prohibit all drivers from texting while driving unless it is equipped with technology allowing for voice-recognition hands-free texting and is being used in such manner. This offense requires assessment of points upon conviction pursuant to Section 302.302, RSMo.

### **Administrative Impact**

DOR assumes this legislation may result in an increase in the number of traffic convictions received and processed by the Department. When the volume of convictions increases, the Department issues more point warning and suspension notices, pursuant to Section 302.304, RSMo. This will result in an increase in customer contacts.

There are no statistics available to determine exactly how many additional convictions will result from this proposal. If the volume is significant enough that it cannot be absorbed by existing staff, additional FTE(s) will be requested through the appropriation process.

### **Revenue Impact**

Reinstatement fees collected are also unknown, however the fees collected will be distributed 75% Highway Funds, 15% Cities, and 10% Counties.

Since it is unknown how many convictions there will be as a result of this proposal, **Oversight** will estimate an increase in revenue of “Less than \$100,000” to the Highway Fund, Cities and Counties.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
<b>HIGHWAY FUND</b>			
<u>Revenue</u> - DOR	Less than	Less than	Less than
Reinstatement fees (75%)	<u>\$100,000</u>	<u>\$100,000</u>	<u>\$100,000</u>
<b>ESTIMATED NET EFFECT TO THE HIGHWAY FUND</b>	<b><u>Less than \$100,000</u></b>	<b><u>Less than \$100,000</u></b>	<b><u>Less than \$100,000</u></b>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2016 (10 Mo.)	 FY 2017	 FY 2018
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Revenue</u> - Cities	Less than	Less than	Less than
Reinstatement fees (15%)	\$100,000	\$100,000	\$100,000
<u>Revenue</u> - Counties	Less than	Less than	Less than
Reinstatement fees (10%)	<u>\$100,000</u>	<u>\$100,000</u>	<u>\$100,000</u>
<b>ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>Less than \$100,000</u></b>	<b><u>Less than \$100,000</u></b>	<b><u>Less than \$100,000</u></b>
 <u>FISCAL IMPACT - Small Business</u>			

No direct fiscal impact to small businesses would be expected as a result of this proposal.

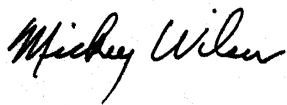
### FISCAL DESCRIPTION

Currently, an individual 21 years of age or younger is prohibited from sending, reading, or writing a text or electronic message from a hand-held electronic wireless communications device while operating a moving motor vehicle on any highway in Missouri. This bill repeals that provision and prohibits anyone operating a noncommercial vehicle, regardless of age, from these activities unless the device being used is equipped with technology allowing for voice-recognition hands-free texting and is being used in that manner.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Department of Revenue  
Department of Public Safety  
Missouri Highway Patrol  
Office of the State Courts Administrator  
Office of Prosecution Services



Mickey Wilson, CPA  
Director  
February 20, 2015

Ross Strobe  
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February 20, 2015